

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NURIS M. RODRIGUEZ,

Plaintiff,

MEMORANDUM & ORDER

20-CV-5284 (EK) (CLP)

-against-

COMMISSIONER OF THE SOCIAL SECURITY
ADMINISTRATION,

Defendant.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Pollak's Report and Recommendation (R&R) dated April 21, 2025. ECF No. 27. Judge Pollak recommends that the Court (1) deem the plaintiff's motion for attorney's fees timely; and (2) grant this motion in the total amount of \$30,228.43 pursuant to 42 U.S.C. § 406(b). Judge Pollak also recommends that if the Court grant this motion, it order counsel to remit \$6,440 in previously awarded Equal Access to Justice Act ("EAJA") fees to plaintiff. Neither party has filed objections and the time to do so has expired. Accordingly, the Court reviews Judge Pollak's recommendation for clear error on the face of the record. See Fed. R. Civ. P. 72(b) advisory committee's note to 1983 addition; accord *State Farm Mut. Auto. Ins. Co. v. Grafman*, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013).

Having reviewed the record, I find no error and therefore adopt the R&R in its entirety. Thus, the Court (1) deems plaintiff's motion for attorney's fees timely; (2) grants the plaintiff's motion for attorney's fees totaling \$30,228.43 pursuant to 42 U.S.C. § 406(b); and (3) orders that upon receipt of these fees, counsel remit to the plaintiff \$6,440 in previously awarded EAJA fees.

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: July 30, 2025
Brooklyn, New York